

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RITA PLAZA,

Plaintiff,

vs.

MALNOVE INCORPORATED OF NEBRASKA,

Defendant.

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8:05CV461

ORDER AND  
NOTICE OF HEARING

Aaron F. Smeall has filed a MOTION FOR LEAVE TO WITHDRAW as counsel for plaintiff (#6). Because substitute counsel has not entered an appearance, the matter will be set for hearing. Plaintiff, Rita Plaza, will be required to personally attend this hearing.

**IT IS ORDERED:**

1. The motion to withdraw (#5) is set for evidentiary hearing on **Thursday, April 13, 2006 at 1:30 p.m.** in Courtroom 6, Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, Nebraska.

2. Plaintiff, Rita Plaza, is required to personally attend the hearing.

3. Moving counsel shall, forthwith, serve copies of the MOTION FOR LEAVE TO WITHDRAW and this ORDER AND NOTICE OF HEARING on Rita Plaza at her last known address **by certified mail, return receipt requested.**

4. Moving counsel shall timely file a certificate of service showing compliance with paragraph 3, above, and listing the names and addresses of the persons to whom notice was sent.

5. The parties are advised that the evidentiary hearing will not be necessary and will be cancelled if (a) the motion is withdrawn, or (b) plaintiff retains substitute counsel and substitute counsel enters a written appearance by **1:00 p.m. on Wednesday, April 12, 2006.** The written appearance must be timely filed with the Clerk of the Court. Communication by facsimile or telephone will not satisfy the requirement of a written appearance.

**DATED March 15, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**